

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. CR 16-44 (SRN/BRT)

United States of America,)	
)	
v.)	ORDER TO CONTINUE
Plaintiff,)	TRIAL AND EXCLUDE TIME UNDER
)	THE SPEEDY TRIAL ACT
TAYLOR GORDON,)	
)	
Defendant.)	

Thomas Calhoun-Lopez, Assistant United States Attorney, 300 South Fourth Street, Room 600, Minneapolis, MN 55415, counsel for Plaintiff.

George R. Dunn, Tilton & Dunn, P.L.L.P., 101 Fifth Street East, Suite 2220, St. Paul, MN 55101, counsel for Defendant.

This matter is before the Court upon the Motion for Withdrawal of Defense Counsel Pursuant to D. Minn. Local Rule 83.7(C) [Doc. No. 33], and Defendant's Motion for Continuance of Trial [Doc. No. 35]. A hearing was held on these motions on May 25, 2016. For the reasons set forth below, the Court grants the motions.

I. Motion for Withdrawal of Counsel

George R. Dunn, counsel appointed under the Criminal Justice Act, moves the Court for permission to withdraw, stating that irreconcilable differences have developed between him and Defendant Gordon. At the hearing, Mr. Gordon agreed that differences have arisen, and asked the Court to appoint new counsel to represent him.

The Court will grant Mr. Dunn's motion to withdraw. Having found that the defendant is financially unable to employ counsel and that it is in the interests of justice

that counsel be assigned, the Court hereby appoints Robert Lengeling as counsel pursuant to 18 U.S.C. § 3006A.

II. Motion for Continuance of Trial

Mr. Dunn's second motion on behalf of Defendant is a request to continue the trial that was scheduled for May 23, 2016. At the hearing, Defendant Gordon agreed that more time was necessary for his new counsel to be able to properly represent him in this case, and, fully aware of his rights under the Speedy Trial Act, waived those rights and agreed to a trial in September or December 2016.

Because the ends of justice served by a continuance outweigh the public's interest in a speedy trial, as contemplated by 18 U.S.C. § 3161(h)(7)(A), it is hereby ordered that the trial in the above-captioned case is continued until Tuesday, September 13, 2016.

III. Order

Based on the foregoing, and all the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. Defendant's Motion For Withdrawal of Defense Counsel [Doc. No. 33] is GRANTED;
2. Robert Lengeling, Attorney ID 0304165, is appointed as counsel pursuant to 18 U.S.C. § 3006A;
3. Defendant's Motion for a Continuance of Trial [Doc. No. 35] is GRANTED.
 - a. Trial in this matter will commence on September 13, 2016; and
 - b. A period of time -- from the date of this Order through September 13, 2016 -- shall be excluded from the Speedy Trial Act computations in this case.

Dated: May 27, 2016

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge